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THE ARIZONA REPUBLICAN

FOR SALE THE BEST BUY IN THE CITY. 5-room brick, modern; lot 50x137 1-2, east front, close in; price \$25,000; \$700 cash, balance \$24,300 per month. E. E. PASCOE, 110 North Center St.

TWENTY-SECOND YEAR

10 PAGES

PHOENIX, ARIZONA, WEDNESDAY MORNING, SEPTEMBER 20, 1911

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PRISONER IS QUITE JOLLY

Ortie McManigal, Accuser of McNamara, Alleged Dynamiter, Keeps Inspiring Motto on Wall of His Cell.

INVITES PEOPLE TO WARM CLIMATE

Another Feature of the Case is the Arrest of Lawyer for the Defense Who is Charged With a Grave Crime.

LOS ANGELES, Sept. 19.—With the trial of the McNamara brothers but three weeks away, Ortie E. McManigal, chief witness for the state, appears unperturbed over the prospect of a long siege in court. McManigal was in most cheerful spirits in his cell today and talked of the coming trial. He gleefully announced that he had broken definitely with his wife, who will be one of the principal witnesses for the two men he charges with dynamiting and a series of murders. McManigal now has the freedom of a spacious corridor near his cell, in one corner of which he has an exercise with which he has managed to keep his weight down to 188. On the walls of the cell hang pictures of Lincoln and his son Tad, Col. Ball surrendering to Washington, Joseph Jefferson, a number of prominent actresses and a picture of a cowboy holding a revolver at arm's length over a motto reading, "Live So You Can Look Every Man Full in the Face and Tell Him to Go to Hell." He passes much time with a set of mechanical drawing instruments, drawing likenesses of nitro-glycerin cans. Turning from a drawing of one of these, he announced that he would try again to win back his wife's confidence and affection.

"What got me," he said, "was her selling McNamara defense buttons at a picnic in Chicago on Labor day. When I read about it in the papers, I couldn't stand that. I won't try to win her back. If she wants to have anything more to do with me she will have to come to me first." This is the first time that McManigal has spoken in public about his wife without a tear or a sob. With no emotion he went on, saying his wife will be 32 the day the trial of the McNamaras begins, that his son Walter will be 6 October 8, and his daughter Evelyn 8 October 12. It does not appear to him, evidently, that many of the principal events of his life happened in October. Attorney Darrow and his associates for the defense held a conference tonight, laying out further plans for the defense of their clients. They also began the scrutiny of 1,820 veniremen drawn for the case.

Darrow, in speaking of intimations that the defense is tampering with witnesses for the prosecution, especially Mrs. Ingersoll, said he had an unsolicited letter from her which he would show at the proper time.

SAN FRANCISCO, Sept. 19.—Attorney John L. Harrington, wanted in Los Angeles on a charge of contempt of court, for refusing to answer questions put to him by the grand jury in the McNamara case, was located and arrested here late today. Harrington was released on a thousand dollar bond, and will go immediately to Los Angeles for trial. He refused to discuss the charges. W. A. Mundell, a representative of the detective agency making the arrest, makes grave charges against Harrington.

"Harrington and his assistants have traversed the country attempting to influence witnesses to withhold testimony in the McNamara case," said Mundell. "Charges more serious than contempt of court will be made against Harrington."

Harrington was arrested at the office of O. A. Teitelman, secretary of a California labor organization.

BODY OF SEN. CARTER WAS LAID TO REST.

WASHINGTON, Sept. 19.—Solemn high mass of requiem was celebrated at St. Paul's Roman Catholic church today for the late Senator Thomas H. Carter, of Montana, who died at his home here Sunday. Absolution was given by Mgr. Diomedea Falconio, papal delegate to the United States. Mass was celebrated by Rev. Thomas A. Walsh of St. Paul's. The honorary pall bearers were all members of the senate. Interment was in Mount Olivet, this city.

THEY'RE AFTER HIS SCALP

PLYMOUTH, Iowa, Sept. 19.—The annual convention of the Free Methodists, of Iowa and Minnesota, at a session here today, passed resolutions asking President Taft to request Secretary of Agriculture Wilson to resign from the cabinet. This is because Wilson recently accepted the honorary presidency of the National Brewers' association.

BUCKEYE WILL TRY CONCLUSIONS WITH THE POWDER TRUST

TRENTON, N. J., Sept. 19.—The E. I. Dupont de Nemours Powder company, commonly known as the Powder trust, was sued here today in the federal circuit court by the Buckeye Powder company, which formerly manufactured powder in Peoria, Illinois, for five million dollars damages. The Buckeye claims its business was injured by the practices of the so-called trust, and places its damages at \$1,119,957. It also asks a half million dollars' punitive damages. The damages again to be multiplied by three as authorized by the Sherman law. The bill of particulars filed by the Buckeye sets out specific instances in which it claims its business was injured by the trust, whose practices are claimed to be a direct violation of the Sherman law.

STATE RIGHTS ARE IN ISSUE

Rate Hearing at Los Angeles May Have Narrow Scope Because of Promise of Early Admission of Arizona.

LOS ANGELES, Sept. 19.—W. W. Cook, president of the Arizona Cattle Growers' association, P. P. Hastings, representing the Santa Fe, Prescott and Phoenix railroad, E. S. Gosney, president of the Arizona Wool Growers' association, and other prominent Arizonians were present when commissioner Lane called the Arizona rate case hearing. E. G. Custer, the attorney representing the shippers, F. A. Jones, of Phoenix, T. W. Tomlinson, of Denver and J. B. Cook, of Tempe, Ariz., participating. H. A. Scandrett and C. W. Durbrow are representing the Harriman lines and E. W. Kemp, W. G. Barnwell and P. P. Hastings the Santa Fe. It is considered doubtful if the commission will make an order in cases affecting Arizona local rates since the territory will soon become a state and will have power to fix its own rates. At the hearing today Lane inquired of the prospects of immediate statehood. Jones replied that he understood the statehood proclamation will be issued about the middle of January.

"Does it provide for a railroad commission?" asked Lane. He was answered in the affirmative and said he would not promise a ruling, not wishing to transgress on the states' rights. A. F. McCaleb testified he is unable to get a rate on alfalfa that will enable him to compete with mills in other states. He said the mills in the middle west have rates of \$5.70 a ton to Kansas city and New York and that he is unable to get any rate. His mill at Phoenix was burned since he started for the hearing but it will be rebuilt if he gets a rate. Lane said: "This matter should be adjusted between railroads and the shipper. If he rebuilds he should be assured a square deal."

Louis Metzger, a wholesale liquor dealer testified that Phoenix pays 85 cents on Los Angeles shipments, while the same shipments to New York and Chicago cost only \$1.05. Gosney testified that Los Angeles buyers are unable to purchase Arizona sheep and wool except when there is a shortage elsewhere owing to "excessive" rates. W. H. Avery, dealer for a local packing firm, testified he returned this morning from a trip to Utah to buy wethers. He said the cattle rate from Gilroy, 400 miles north of Los Angeles, is \$70 for a 36-foot car and \$126.85 from Phoenix, which is only slightly farther.

THE FIGHT BEGINS

KANSAS CITY, Sept. 19.—Enough money has been secured, it was announced at the convention of the union bakers today to establish six bakeries to fight the bread trust. The first one will be established in Pittsburg, at a cost of \$75,000. Later, others will be established in other large cities.

ANOTHER ONE KILLED

DEWITT, Iowa, Sept. 19.—Alfred Rosenbaum, a Chicago aviator, was killed here this afternoon when his aeroplane fell fifty feet. He had been in the air twenty minutes when he lost control of his machine.

MARTIAL LAW IN SPAIN

MADRID, Sept. 19.—King Alfonso late today signed a decree suspending constitutional rights, which means that Spain is under martial rule.

GROSSCUP QUITS BENCH

CHICAGO, Sept. 19.—Judge Peter S. Grosscup, of the federal bench, announced today he will resign the first week in October. Grosscup is the judge who reversed the decision of Judge Landis fining the Standard Oil company more than twenty-nine millions of dollars.

GUARD SHOUTS FLEEING MAN

Frank Duval, a Prisoner in the Florence Penitentiary, Comes to Grief in a Rash Attempt to Make His Escape.

WOUND DANGEROUS BUT NOT MORTAL

Prisoner Was Serving Short Term and Good Conduct Would Have Given Him His Release Within a Short Time.

Frank Duval, a convict in the territorial penitentiary, assigned to duty outside the wall, tempted by duty seemed to him a chance for liberty, tried to run away yesterday and was shot and seriously hurt by a guard, though it is believed he will recover. There was no general revolt or conspiracy among the convicts, so far as known, Duval being the only one concerned.

Duval was working on a grade west of the prison under guard and in plain view of the guards stationed on the wall. What the conditions were that made him think he could get away, is not clear, but he started to run. When Guard Maxwell ordered him to halt, he gave no heed to the command and Maxwell and several other guards began firing at him both from the wall and from the ground.

One bullet hit Duval a glancing blow on the head, fracturing the skull, and he fell. He was taken to the prison hospital and given medical attention. At the latest report he was said to be conscious but could not talk for the reason that his wound affects that portion of the brain which controls the speech. The prison physician said that though Duval is badly wounded the chances favor his recovery.

Duval has been regarded as an incorrigible, which means that he has been one of the most frequent violators of prison rules and has been frequently disciplined. It was only a few days ago that he was placed in irons for fighting another prisoner. The strange part of it is that he is yet only a youth being but 18 years old, and that he was sentenced to a very short term, two facts that would make the ordinary prisoner's conduct exemplary that he might hasten his release.

Duval was committed February 15 of this year from Pima county, having been convicted of burglary in the second degree, and sentenced to serve two years. Had he been sufficiently well behaved to be credited with good time, and further credited with work such as he was engaged in, his term of service would have been materially cut down. But he seems to be of the sort who always chafe at conditions, is of a morose disposition and, under discipline, nurses his resentment.

PEKIN HEARS BAD NEWS.

PEKIN, Sept. 19.—The French legation received word today from prefects that Yamen Suifu has been attacked and burned by the rebels. Many persons were killed. The Chinese foreign board has reports of an attack on Yamen Kai Ting Fou, but details are lacking. The board also has reports that five Yamen were looted near Cheng Tu.

ETNA AGAIN ACTIVE.

CATANIA, Sept. 19.—The eruption of Etna, which yesterday seemed dying out, today resumed its former activity. Eight peasants are cut off in the lava district and no one is able to reach them.

THE USUAL STORY.

LAREDO, Sept. 19.—Five hundred Mexican troops started today after a band of Magonistas, who were defeated Sunday near the town of Mier, Mexico. The Magonistas are said to be in the foothills near Mier. They number sixty.

THE WALKING IS GOOD.

NEW YORK, Sept. 19.—Neither C. P. Rodgers, who is stalled at Middletown with a wrecked biplane, nor J. J. Ward, stalled at Corning, were able to resume their coast-to-coast aeroplane flight today. Ward expects to move tomorrow and Rodgers also hopes to do the same, but mechanics may not finish the repairs in time.

GATES WILL FILE.

BEAUMONT, Tex., Sept. 19.—The will of the late John W. Gates was filed for probate here today. The application states that the estate will amount to more than five millions, but it is admitted that this amount is fixed as a matter of mere formality. The bulk of the estate was given to the widow and son, Charles G. Gates.

THIS MAN WILL FIGHT SHY OF GILA MONSTERS

LOS ANGELES, Sept. 19.—Prompt treatment with a vacuum pump saved the life of Mathias Eigenherr, an Arizona miner, who was bitten on the hand by a gila monster today which he was exhibiting to friends. The monster was caged in a box. Eigenherr thrust his hand in and the gila grabbed it. Eigenherr became delirious from fright and was treated at a hospital, where the poison was extracted. A policeman shot the monster.

WILD SCENES MARK CLOSE OF CAMPAIGN

Thousands Turn Out in Canadian Cities to Hear Speakers Discuss the Reciprocity Question.

MONTREAL, Sept. 19.—The popularly termed "reciprocity campaign" which has been most bitterly contested, was brought to a close tonight when outdoor meetings in the French district in this city were addressed by two strikingly contrasted figures, Sir Wilfrid Laurier, the liberal premier, and Henry Bourassa of the opposition. Thousands packed the converging thoroughfares, the speakers being only separated by a few blocks. In a large auditorium, Sir William Van Horn, former president of the Canadian Pacific, announced his opposition to reciprocity. Speaking of the opposition to reciprocity in the industrial centers, Sir Wilfrid said, manufacturers, to say the least, are shortsighted. If manufacturers persisted in the refusal to accept the request of the farmers for an American market, and should make that refusal effective he said it would not be a surprise if the farmers refuse to bear the burden of the protective tariff which is fostering Canadian industries. The farmers might go a step further and demand drastic tariff changes, said the premier.

OTTAWA, Sept. 19.—With the reciprocity election but a day distant, both political parties in Canada have become perceptibly nervous. Today a number of manufacturers suspended operations and ordered their workmen to hear anti-reciprocity addresses. Owners of a large packing plant told their employees if reciprocity carried they will be compelled to close down. Notice of a similar character have been issued by several manufacturers. Few wagons are being made. The prevailing odds are 3 to 1 that the government will be sustained.

SHE WOULDN'T LET GO OF THE MONEY

Mother of Supposedly Dead Man Refused to See Him When He Returned Home.

NILES, Mich., Sept. 19.—George Alfred Kimmel, believed by relatives to have been dead thirteen years, arrived at his old home here from the penitentiary at Auburn, N. Y., late today and was identified by dozens of his old friends. Among those who recognized Kimmel was Mrs. Harry L. Fox who opened her home and held a celebration. Despite Kimmel's return and the identification, Mrs. Stella Kimmel, his mother, refused to see him. Seven years after he disappeared the mother began suit to obtain the insurance on her son's life and won the suit. He was declared legally dead. One company paid \$5,000 but another, which held a policy for \$20,000, refused, instituted a search and finally located Kimmel at Auburn.

WHICH WILL IT BE?

AUGUSTA, Me., Sept. 19.—Governor Plaisted and members of his council who are tabulating the returns from the recent election, state the returns show an apparent official majority of twenty-six in favor of the repeal of the prohibitory amendment to the constitution, but these figures are by no means final. The board meets again tomorrow to continue the tabulation.

AUTUMN CHANGES.

Many changes come with the advent of the early autumn season.

Those who sojourned out of town for the warm weather are returning and looking for houses, apartments and flats; the rush of fall orders calls for extra workers in shops and factories; extra salespeople are needed—these are but a suggestion of the many lines of activity that present scores of opportunities for Want Advertising during September and the early fall.

Renting, buying, selling, exchanging, hiring—all are stimulated by increased demand after the vacation season.

The activity in every line of business that comes at this season presents chances for Want Ad advertisers and Want Ad readers that will lead to profit on the part of many. Make full use of the Wants.

UNCLE SAM IS INQUISITIVE

He Wants to Know Why the United Shoe Machinery Company Should Not be Punished for Bald Conspiracy.

LEADING MEN ARE UNDER INDICTMENT

It is Said the United Had an Absolute Monopoly of all the Shoe Manufacturing Machinery Used in the World.

BOSTON, Sept. 19.—The fight of the government against the corporation commonly known as the "Shoe Machine Trust" began today when two indictments were returned here by the federal grand jury against five officers and a large stockholder of the United Shoe Machinery company. The indictments allege conspiracy in restraint of trade under the Sherman anti-trust act. The penalty provides a fine of \$5,000 or imprisonment for six months, or both.

The defendants probably will plead within the next few days. The indicted are: Sidney W. Winslow, of Orleans, president; Edward P. Hurd, of Newton, vice-president and member of the executive committee; Geo. W. Brown, Newton, vice-president and director; William Harbour, of New York, vice-president and director; Elmer P. Howe, of Boston, counsel and director; James J. Storrow, the largest stockholder, former member of the executive committee and a director.

Storrow resigned from the board in December, 1909, and a month later became a candidate for mayor of Boston. According to William S. Greig of the department of justice, who has charge of the case, the indictments charge that the six defendants have been working through the instrumentality of the United Shoe Machine company in a manner that made them criminally liable under the Sherman law. The second indictment charges carrying on business under a merger of three old companies, which was effected in February, 1899, and is a combination in restraint of trade; that is, a conspiracy in restraint of the trade of shoe manufacturers, and that the whole transaction is a monopolization of interstate trade, all of which, it is further alleged, had a pernicious effect on the public. The United Shoe Machinery company has branches in all parts of the world.

Complaints made to the department of justice against the United Shoe Machinery company, a so-called trust, brought the attention of the government to the case. The corporation is charged with being a monopoly in restraint of trade. As the result of the work by special agents of the department in gathering evidence to be presented to the grand jury July 26, today's reports are given out.

The United Shoe Machinery company came into being in 1889. It was founded by Sidney N. Winslow, the present head, who began shoe-making in a small factory in Salem.

Three leading machinery companies combined into the United and subsequently subsidiary companies sprang up all over the world. The corporation now employs 4,000 hands who turn out 20,000 shoe machines a year. The royalty system by which the corporation disposes of machines allows a customer to lease the machines, paying the rental in royalties on every shoe made. The manufacturer may buy the machine, provided he buys it from the United, and also buys wire nails and eyelets from the same company. It is claimed the royalty paid the United amounts to 2.2 cents on every pair of shoes manufactured.

Last year the corporation brought suit against Thomas G. Plant of Boston, charging him with infringement of patents. Plant sold out to the United after a long and bitter fight. A few months later an independent company of Lynn, Mass., was also purchased by the United. The next important happening in the life of the corporation was the government probe.

BOTH MEN ARE FIT.

NEW YORK, Sept. 19.—On the eve of the battle between Abe Attell, featherweight champion, and Matt Wells, English lightweight champion, both men are declared fit and even money is sagged. Attell's arm is said to be in excellent condition.

BATTLING NELSON WINS.

BOSTON, Sept. 19.—Batling Nelson, former lightweight champion, defeated Bill Nixon of Cambridge, here tonight, the referee stopping the fight at the end of the tenth, in a scheduled twelve round bout.

IT WAS A QUIET AND COMFORTABLE DAY FOR MR. TAFT

SAULT STE MARIE, Sept. 19.—President Taft today spent an enjoyable afternoon at Sault Ste Marie. On board a tug he dropped the largest of the three locks here and saw a number of ships lifted from the lower level of Lake Huron and Lake Michigan to the surface of Lake Superior. The President was entertained at the home of Governor Osborne, and together they attended a luncheon where covers were laid for five hundred. The President spent this afternoon at Fort Brady, reviewing the United States troops there. He left shortly after six o'clock, on the continuation of his tour, which eventually will land him on the Pacific coast. The day was one of the quietest Mr. Taft has spent since leaving Boston.

JAKE WANTED A NEW SCALP

Desperate Man, Under Sentence of Death, Kills a Fellow Convict in the Corridor of Folsom Penitentiary.

FOLSOM, Cal., Sept. 19.—Jake Oppenheimer, convict, murder and robber, who has been condemned to die, added another murder to his list today when he killed Francisco Quijada, a fellow convict, also condemned to die, in a corridor of the prison, with an iron bar. There had been bad blood between the two men for some time. Both figured in a recent attempt to break jail, and were sentenced to hang under a new law which makes it a capital crime for a life term to attempt an escape. Oppenheimer is one of the most noted criminals in the west. He has killed two men and figured in many attempted jail breaks. He has been the most unruly prisoner in the history of Folsom.

"I just wanted to add another scalp to my belt," was the only explanation he gave. A few days ago Quijada informed Warden Reilly that he would cheerfully meet his fate if Oppenheimer were only hanged first.

"If they hang him first, I will willingly put the noose around my own neck," he said.

According to the prison custom, Assistant Turnkey Estudillo and a "trust" opened the cell doors for the four men in the condemned row for the purpose of ventilation. Immediately the door opened Quijada sprang out into the corridor and shouted this challenge to Oppenheimer: "Come out and fight, Jake." Oppenheimer replied with a deft and the Yaqui Indian made a sudden rush to his cell. Before Quijada could move Oppenheimer was upon him and with the point of a sharp piece of iron six inches in length he pierced the breast just below the heart. Estudillo separated the men, placed Quijada in his cell and turned to Oppenheimer and said: "Give me that, Jake."

"All right, sir," said the convict, handing over the piece of iron.

Vivien Oppenheimer was locked up. Quijada was found dead in his cell. Oppenheimer spent most of his years in prison in solitary confinement, as he absolutely defied all the rules of the prison. Twice he tried to set the prison on fire, and was implicated in numerous plots to escape. Quijada was a Yaqui Indian sentenced for murder from Los Angeles.

TO ABOLISH BILLBOARDS.

RENNSELAER, N. Y.—Corporation Counsel Root has been requested by the aldermen to give them advice relative to the proper plan to adopt on the question of billboards.

In response to public clamor the aldermen contemplate a campaign for the abolition of signs of the billboard character, as they have been complained of for years.

Certain theatrical posters are especially made targets for attacks by residents of the East Side, but the billboarders are preparing for aggressive resistance.

HOLY LOVERS ARE FIRED

ZION CITY, Sept. 19.—Eight members of the "Holiest Love Society" were escorted to the city limits of Zion City today by a vigilance committee, and placed aboard an electric car bound for Chicago. Marshal John Hueffer led the party which forced the free lovers to leave the town, which was established by Dowle.

BIG COLONY WILL COME

Several Hundred Families From Southern Russia are Making Arrangements to Locate in the Glendale District.

ARE NOT LIVING IN CALIFORNIA

Colonists Will Engage in Sugar Beet Culture and Will Also Experiment Extensively in the Growing of Cotton.

A second colony of 700 Russians from the southern part of the great Muscovite empire, but who have been in California for the past few years, will soon be located in the Salt River valley. The exact location has not yet been decided upon, but it will be somewhere in the Glendale neighborhood. Following the lead of the other Russians who are already established in that part of the valley, these 700 families will settle on contiguous tracts and will have their own churches and other institutions. They will not have their own stores, however, as it is their intention to do their trading in Phoenix.

The arrangements for the coming of these most desirable citizens is already well under way. For the past two days J. Herkoff has been in Phoenix looking over the ground and making preliminary arrangements. Yesterday he was called to Los Angeles by a telegram, but he will be back within a short time to conclude negotiations for the large tract of land which the colonists will require. In his absence the work will be looked after by Mr. A. C. King.

It is said by Mr. King that within four months the colony will have been established here. The colonists will engage largely in beet raising, a form of agriculture with which they are perfectly familiar. They will also experiment in the growing of cotton. It is a known fact that no studier, more honest or more substantial class of citizens have ever come to this section of Arizona than the people of southern Russia, and the fact that another colony of 700 families—meaning from 3,000 to 3,500 people—has decided to settle here will be the best industrial news this valley has learned in many a day.

NAVY DEPARTMENT HAS REVERSED A DECISION.

WASHINGTON, Sept. 19.—After having declined to postpone the cruise of the Pacific to Hawaii on the ground that it would interfere with the efficiency of the navy, the navy department today reversed itself and ordered the vessels detained until after President Taft's trip to San Francisco, October fourteenth, to attend the ground-breaking ceremonies of the Panama-Pacific exposition. The action was taken, it is understood, on instructions from the president. As this will put the cruise to Hawaii two weeks later, which would interfere with fall target practice, it is likely that the cruise across the Pacific to the islands will be abandoned.

STILL ABLE TO TALK.

COLFAX, Cal., Sept. 19.—Aviator Fowler announced tonight that barring some unforeseen mishap he will resume his transcontinental eastward flight Thursday morning. The biplane has been reconstructed and is ready for the trial flight tomorrow. He says if he starts successfully he will make Winnemucca, 274 miles, by nightfall. He will not stop at Reno, according to his present plans.

JURY IS MUM.

KISSAMER, Fla., Sept. 19.—Final action was not taken by the coroner's jury today in the case of E. B. Gillett and Elizabeth Sedrs, members of the Shaker colony, who administered chloroform to Sadie Merchant, as they claimed, at her request while she lay dying with tuberculosis. Both of the accused appeared before the coroner. The general opinion is that they will be released.

THAT'S A BIG RISK.

LONDON, Sept. 16.—The overthrow of the Spanish monarchy was insured against by Lloyds today. The high rate of twenty-five guineas, approximately 125 per cent, is being paid for the policies.

Watches, Diamonds and Jewelry Bought,

Sold and exchanged. Highest cash price paid for Old Gold, Silver and precious stones.

Overland 8493 **N. FRIEDMAN** Overland 8493
Mfg. Jeweler and Watch Repairing. 33 W. Wash. St., Phoenix, Ariz.